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PAGE 01 BUENOS 00459 01 OF 03 192119Z
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[REDACTED] SECTION 1 OF 3 BUENOS AIRES 0459

E.O. 11652 GDS
TAGS SHUM, RINS, AR
SUBJECT HUMAN RIGHTS ROUND UP

REF: 77 BUENOS AIRES 8232

SUMMARY: THE DECEMBER DISAPPEARANCES OF TWO FRENCH
NUNS AND SOME ELEVEN ARGENTINE CITIZENS CONTINUE TO
DOMINATE HUMAN RIGHTS ATTENTION. HUMAN RIGHTS GROUPS
CONTINUE TO BE ACTIVE, ALBEIT WITHIN A LIMITED SPHERE
OF ARGENTINE LIFE. BUENOS AIRES ARCHBISHOP ARAMBURU
CALLED ON GOA TO PROVIDE INFORMATION ON DETAINED AND
DISAPPEARED PERSONS. LITTLE PROGRESS HAS BEEN
REGISTERED IN SUCH US INTEREST CASES AS THE
DEUTSCH FAMILY, JACOBO TIMERMAN AND ALFREDO BRAVO.
A MAJOR EVENT -- THE CHRISTMAS ANNOUNCEMENT OF THE
AMERLIORATION OF THE SITUATION OF SOME 432 PERSONS
DETAINED UNDER "PODER EJECUTIVE NACIONAL" WAS
REPORTED BUENOS AIRES 9881 (1977). END SUMMARY.

1. DISAPPEARANCE OF MOTHERS GROUP SUPPORTERS ----
FRENCH PRESIDENT VALERY GISCARD D'ESTAING SENT A STRONG
TELEGRAM TO PRESIDENT VIDELA ASKING THE ARGENTINE PRESIDENT
TO USE HIS INFLUENCE TO LOCATE THE TWO FRENCH NUNS WHO
DISAPPEARED WITH 11 OTHER SUPPORTERS OF THE MOTHERS OF THE

PAGE 02 BUENOS 00459 01 OF 03 192119Z

PLAZA DE MAYO. THE GISCARD LETTER SIGNALLED THAT WITH THE
RECENT VISIT OF MR PONIATOWSKY THERE WERE EXPECTATIONS OF

Current Class: [REDACTED]

Page: 1

UNCLASSIFIED

UNCLASSIFIED

STRENGTHENED RELATIONSHIPS BETWEEN FRANCE AND ARGENTINA.
JUST PRIOR TO CHRISTMAS MINISTER OF THE INTERIOR HARGUINDEGUY
TOLD MR GADOT, SPECIAL ENVOY OF THE HEAD OF THE FRENCH
CHAMBER OF DEPUTIES, THAT HE HAD A "DREAM" THAT THE FRENCH
NUNS WERE PICKED UP ALONG WITH OTHER PEOPLE IN A ROUTINE
POLICE NAME CHECK AND THAT THE POLICEMEN WHO HELD THE NUNS
WERE NOW CONFRONTED WITH AN ENORMOUS AMOUNT OF ADVERSE PUBLICITY.
BASED ON HIS "DREAM" HARGUINDEGUY RELATED, THE POLICE WOULD
RESOLVE THE PROBLEM OF THE NUNS IF THERE WAS A BREAK IN THE
INTERNATIONAL PRESSURE UPON THEM. (BA SEPTTEL GIVES SUMMARY
OF FICTION AND FACT ASSOCIATED WITH NUNS DISAPPEARANCE.)
REPRESENTATIVES OF THE MOTHERS OF THE PLAZA DE MAYO MET WITH
INTERIOR UNDER SECRETARY RUIZ PALACIOS BEFORE CHRISTMAS, WHO
TOLD THEM THAT THE MINISTRY BELIEVED THAT MRS DE VICENTE HAD
GONE UNDERGROUND ("AUTO SECUESTRAO"), AN ALLEGATION THE
MOTHERS GROUP REJECTED. ABOUT 150 MOTHERS GATHERED ON THE
THURSDAY AFTERNOON BEFORE CHRISTMAS AT THE USUAL TIME AT THE
PLAZA DE MAYO. THEY WERE NOT BOTHERED. REPRESENTATIVES OF THE NEWLY
FORMED GROUP OF THE "SANTA CRUZ DESAPARECIDOS" (REFERRING TO
THE DECEMBER 8-10, 1977 DISAPPEARANCES) PASSED OUT MIMEOGRAPHED
PAMPHLETS IN THE PLAZA, THE
"SANTA CRUZ GROUP" ALSO HELD AND IMPROMPTU PRESS CONFERENCE ON
DECEMBER 23 ATTENDED BY 3 FOREIGN CORRESPONDENTS AND A
REPRESENTATIVE FROM THE BUENOS AIRES DAILY LA PRENSA. MORE
THAN 100 OF THE MOTHERS GROUP HAVE JOINED IN MR DE VICENTES
HABEAS CORPUS PETITION REGARDING THE DISAPPEARANCE OF HIS WIFE.

2. IN THE FIRST P E N LIST PUBLISHED SINCE THE CHRISTMAS
RELEASE LIST, THE INTERIOR MINISTRY REPORTED THAT FROM
DECEMBER 23 TO JANUARY 13, 31 PERSONS HAD BEEN PLACED AT THE
DISPOSITION OF THE EXECUTIVE, TWO PERSONS WERE REMOVED FROM
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PAGE 03 BUENOS 00459 01 OF 03 192119Z

P E N STATUS AND FOUR URUGUAYN CITIZENS WERE EXPELLED FROM
THE COUNTRY. NAMED AMONG THOSE PLACED UNDER P E N WERE
ALEJANDRO AND LILIANA DEUTSCH, WHO WERE ACQUITTED BY A FEDERAL
JUDGE UNDER CRIMINAL CHARGES ON DECEMBER 28 (SEE BA 0267).

3. REPLIES FROM FOWG ON US INTEREST CASES ----
THE FOREIGN OFFICE WORKING GROUP ON HUMAN RIGHTS LAST PROVIDED
INFORMATION ON 6 EMBASSY CASES ON DECEMBER 30. FOWG OFFICIALS
HAVE INDICATED THAT THEY NOW ARE GIVING PRIOR CONSIDERATION TO
REQUESTS FROM THE INTER AMERICAN HUMAN RIGHTS COMMISSION AND
THE UNITED NATIONS HUMAN RIGHTS COMMISSION IN GENEVA. EMBASSY
HAS APPROXIMATELY 70 CASES BACKLOGGED IN FOWG.

Current Class: [REDACTED]

UNCLASSIFIED

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1978BUENOS00459

Page: 3

Channel: n/a

4. US INTERST CASES ----

A. THE ARGENTINE COURT OF CRIMINAL APPEALS TURNED DOWN A HABEAS CORPUS APPEAL OF JACOBO TIMERMAN ON DECEMBER 22. IN A SHORT 2 PAGE DECISION, THE COURT FLEXED ITS RHETORICAL MUSCLES OVER ITS RIGHT TO REVIEW SUCH CASES BUT FOUND NOTHING "MANIFESTLY ARBITRARY" IN THE GOVERNMENTS STATE OF SIEGE DECREE AGAINST THE FORMER NEWSPAPER EDITOR. TIMERMANS LAWYER VIEWED THE COURTS DECISION AS ARBITRARY BUT ACKNOWLEDGED THAT POLITICALLY THE COURTS MEMBERS HAD LITTLE REASON TO MAKE THE TIMERMAN CASE INTO A PRECEDENT, AS HE WILL REMAIN IMPRISONED IN ANY CASE UNDER THE "ACTA DE RESPONSABILIDAD INSTITUCIONAL." THE NATIONAL COUNCIL OF PATRIMONIAL RESPONSIBILITY WHICH WAS RECENTLY ORGANIZED TO CERTIFY THE LEGALITY OF THE ACQUISITION OF THE GOODS OF PERSONS CHARGED UNDER THE ACTA INSTITUCIONAL HAS BEGUN TO FUNCTION, BUT IT WARNED THAT IT MAY TAKE ANOTHER SIX MONTHS BEFORE THE COUNCIL WILL BE IN POSITION TO ISSUE JUDGEMENTS.

B. LUZ VOGLER CALLED ON EMBASSY POLITICAL OFFICER ON DECEMBER 29 TO AGAIN THANK THE EMBASSY FOR ITS EFFORTS REGARDING THE RELEASE OF HER DAUGHTER LILIANA (STATE 308813 AND STATE 307686). MRS VOGLER STATED THAT SEVERAL OF LILIANAS FELLOW PRISONERS HAVE BEEN RELEASED PRIOR TO THE EXPIRATION OF THEIR CRIMINAL

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PAGE 04 BUENOS 00459 01 OF 03 192119Z

SENTANCES. SHE IS PARTICULARLY CONCERNED REGARDING LILIANAS RECURRENT SEVERE NOSE BLEEDS LASTING UP TO TWO DAYS AND LACK OF CASTRO

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PAGE 01 BUENOS 00459 02 OF 03 192237Z
ACTION ARA-14

INFO OCT-01 ISO-00 IO-13 HA-05 CIAE-00 DODE-00 PM-05
H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01
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FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC 4207

Current Class: [REDACTED]

Page: 3

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1978BUENOS00459

UNCLASSIFIED

Page: 4

Channel: n/a

[REDACTED] SECTION 2 OF 3 BUENOS AIRES 0459

ADEQUATE MEDICAL ATTENTION AT VILLA DEVOTO. MRS. VOGLER TRAVELLED TO CORDOBA OVER NEW YEARS WEEKEND TO MEET WITH THE JUDGE IN CHARGE OF LILIANA'S CRIMINAL PROCEEDINGS.

(C) IMPRISONED ARGENTINE TZLCHERS UNION (CTERA) PRESIDENT ALFREDO BRAVO DID NOT APPEAR ON THE CHRISTMAS RELEASE LIST, DESPITE CONCERTED EFFORTS BY THE CTERA AND THE PERMANENT ASSEMBLY FOR HUMAN RIGHTS. MRS. BRAVO MET ON DECEMBER 28 WITH DEPUTY MINISTER OF THE INTERIOR RUIZ PALACIOS REGARDING BRAVO'S CONTINUED DETENTION. PALACIOS ADVISED HER THAT THERE WAS STRONG OPPOSITION TO BRAVO'S RELEASE WITHIN SOME SECTORS OF THE MILITARY AND HE FACED A LONG DETENTION. THE INTERIOR UNDER SECRETARY SUGGESTED THAT BRAVO SEEK THE RIGHT OF OPTION TO LEAVE THE COUNTRY AS A POSSIBLE ALTERNATIVE TO A PROLONGED DETENTION. EMBASSY OFFICER DISCUSSED THE POSSIBILITIES OF OBTAINING A U.S. VISA FOR BRAVO IN NEAR FUTURE AND SUGGESTED ALSO THAT BRAVO'S POSSIBLE CLAIM TO SPANISH CITIZENSHIP COULD FACILITATE HIS RECEIVING A CERTIFICATE FROM THE SPANISH EMBASSY.

(D) ARGENTINE JOURNALIST LUIS GUAGNINI WHO WAS TAKEN FROM HIS HOME ON DECEMBER 21 ALONG WITH HIS COMPANION DORIS SALAS ROMERO REMAINS AMONG THE DISAPPEARED, ALTHOUGH MS. ROMERO WAS RELEASED ON DECEMBER 27. THE VENEZUELAN JOURNALISTS UNION, THE VENEZUELAN SCHOOL OF JOURNALISTS, AND THE VENEZUELAN RADIO

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PAGE 02 BUENOS 00459 02 OF 03 192237Z

AND TELEVISION WORKERS UNIONS HAVE ALL LODGED APPEALS ON BEHALF OF GUAGNINI. THE BUENOS AIRES HERALD RAN A STRONG EDITORIAL ON HIS DISAPPEARANCE, CALLING FOR A RETURN TO THE RULE OF LAW AND ORDER.

5. FOURTEEN NAMES ON THE 1976 CHRISTMAS RELEASE LIST CORRESPOND TO NAMES WHICH WERE INCLUDED IN AN AMNESTY REQUEST SENT TO PRESIDENT VIDELA BY THREE U.S. RELIGIOUS GROUPS, ACCORDING TO AN ARGENTINE NEWS AGENCY REPORT DECEMBER 27. THE LETTER, IN WHICH THE NATIONAL COUNCIL OF CHURCHES, U.S. CATHOLIC CONFERENCE AND B'NAI B'RITH ANTI-DEFAMATION LEAGUE APPEARED TO VIDELA TO AMNESTY "PRISONERS OF CONSCIENCE", RECEIVED A STRONG REPLY FROM ARGENTINE AMBASSADOR AJA ESPIL. IN HIS REPLY, AJA ESPIL QUOTED VIDELA AS SAYING "THERE ARE NO POLITICAL PRISONERS IN ARGENTINA, MUCH LESS PRISONERS OF CONSCIENCE; THERE ARE ONLY SUBVERSIVE DELINQUENTS". SUBSEQUENT

Current Class: [REDACTED]

Page: 4

UNCLASSIFIED

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1978BUENOS00459

Page: 5

Channel: n/a

TO THE EXCHANGE OF LETTERS, THE CHRISTMAS LIST APPEARED AND INCLUDED 14 PERSONS WHO HAD BEEN NAMED IN THE LETTER OF THE RELIGIOUS GROUPS. THIS FACT WAS POINTED OUT IN THE NEWS AGENCY REPORT WHICH NOTED THAT PERSONS NAMED ON THE CHRISTMAS LIST HAD BEEN SHOWN TO HAVE BUT "MINOR INVOLVEMENT" IN SUBVERSIVE ACTIVITIES AND COULD THUS BE RELEASED WITHOUT ENDANGERING NATIONAL SECURITY. THE NAMES OF THE FOURTEEN PERSONS ARE:

MARIA CRISTINA ERCOLI
JUAN CARLOS OCHOA
NICOLAS CARLOS BARRIONUEVO
MARIO DARDO AGUIRRE
JOSE DANTE PATRIGNANI
ALBERTO BERSTEIN
MARIA ESTER ROMAN
JUAN CARLOS LUNA
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PAGE 03 BUENOS 00459 02 OF 03 192237Z

ENRIQUE MARTIN CARACOCHE
JORGE OMAR ROLDAN
HECTOR A. ARIA
MARIA DEL CARMEN QUIROGA
JULIO A. MACHADO
FELIPE NICOLLO

6. AMBASSADOR'S HUMAN RIGHTS MEETINGS -----
ON DECEMBER 14 AND DECEMBER 21 AMBASSADOR CASTRO HAD A SERIES OF MEETINGS ON HUMAN RIGHTS QUESTIONS IN THE EMBASSY (SEE BUENOS AIRES 9308). PEOPLE CALLING ON THE AMBASSADOR INCLUDED CHARLES EISENHOWER, LEADER OF THE ARGENTINE JEHOVAHS WITNESSES; A GROUP OF MOTHERS FROM THE PLAZA DE MAYO; AMERICAN CITIZEN SUTER WHOSE BROTHER ENRIQUE PASCUAL HAS BEEN PLACED UNDER P.E.N. IN CORDOBA FOR HIS SPIRITUALIST RELIGIOUS ACTIVITIES; MRS. LUZ VOGLER WHO THANKED THE AMBASSADOR FOR THE EMBASSY'S HELP IN THE RELEASE OF HER HUSBAND; AND MR. EMILIO MIGONE, VICE PRESIDENT OF THE PERMANENT ASSEMBLY FOR HUMAN RIGHTS. ON WEDNESDAY DECEMBER 21 THE AMBASSADOR MET WITH MR. GENARO CARRIO, ARGENTINE CONSTITUTIONAL LAW SPECIALIST, FORMER MEMBER OF THE INTER AMERICAN HUMAN RIGHTS COMMISSION AND JACOBO TIMERMAN'S LAWYER; TWO FAMILY MEMBERS OF PERSONS ABDUCTED AT THE SANTA CRUZ CHURCH AND MRS. CELIA DE KORSUNSKY WHOSE SON DISAPPEARED IN THE MIDDLE OF 1976.

7. HUMAN RIGHTS ORGANIZATIONS ACTIVITIES -----

Current Class: [REDACTED]

Page: 5

UNCLASSIFIED

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1978BUENOS00459

Page: 6

Channel: n/a

THE PERMANENT ASSEMBLY FOR HUMAN RIGHTS ISSUED AN END OF THE YEAR DOCUMENT ATTACKING INDISCRIMINATE TERRORISM AS A MENACE TO EVERYONE AND REAFFIRMING THAT ONLY THE STATE HAS THE FUNCTION OF MAINTAINING ORDER AND THAT WITHIN THE STATE ONLY THE JUDICIAL POWER IS COMPETENT TO SANCTION PERSONS FOR COMMITTING CRIMES. THE ASSEMBLY URGED THE GOVERNMENT TO PUSH FORWARD WITH THE INVESTIGATION OF DISAPPEARED PERSONS PURSUANT TO REQUEST MADE TO THE EXECUTIVE IN MID-1976 BY THE SUPREME COURT. THE TEXT WAS PRINTED IN A FULL PAGE AD IN THE BA HERALD 1/16. THE COMMISSION OF RELATIVES OF MISSING PERSONS AND POLITICAL

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PAGE 04 BUENOS 00459 02 OF 03 192237Z

DETAINEES IN A POST-CHRISTMAS ANNOUNCEMENT CALLED ON THE MINISTRY OF THE INTERIOR TO RELEASE IMMEDIATELY THE NAMES OF THE 3,607 PERSONS THE MINISTRY ADMITS TO HOLDING AT THE DISPOSITION OF THE EXECUTIVE. THE COMMISSION ALSO DISTRIBUTED A BAR GRAPH SHOWING THE DISTRIBUTION BY AGE OF SOME 564 DISAPPEARANCE CASES. SIGNIFICANTLY 40 PERCENT OF THE CASES WERE BETWEEN THE AGES OF 20 AND 25 AND 1 PERCENT WERE UNDER THE AGE OF 15. THE COMMISSION ALSO RELEASED INFORMATION THAT IT HAS RECORDED IN ITS OFFICES 833 DISAPPEARANCES, 81 POLITICAL DETENTIONS AND HAS RECEIVED SIGNATURES OF SUPPORT FOR AN IMMEDIATE INVESTIGATION INTO DISAPPEARANCE CASES FROM 30,531 PERSONS.

8. TWO AILING FORMER PERONIST GOVERNMENT OFFICIALS WHO WERE

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PAGE 01 BUENOS 00459 03 OF 03 192310Z
ACTION ARA-14

INFO OCT-01 ISO-00 IO-13 HA-05 CIAE-00 DODE-00 PM-05
H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01
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FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC 4208

[REDACTED] SECTION 3 OF 3 BUENOS AIRES 0459

Current Class: [REDACTED]

Page: 6

UNCLASSIFIED

UNCLASSIFIED

PLACED UNDER THE INSTITUTIONAL ACT IN JUNE, 1976 WERE AUTHORIZED TO LEAVE JAIL JUST BEFORE CHRISTMAS AND BE HELD UNDER HOUSE ARREST IN THEIR PRIVATE RESIDENCES. FORMER ARGENTINE PROVISIONAL PRESIDENT RAUL LASTIRI IS SUFFERING FROM CANCER OF THE LYMPH NODES AND FORMER INTERIOR MINISTER BENITEZ IS SUFFERING FROM A SERIOUS ILLNESS. THEY ARE THE FIRST AND ONLY TWO PERSONS INCLUDED UNDER THE ACT WHO HAVE BEEN PERMITTED TO RETURN HOME UNDER HOUSE ARREST.

9. CHURCH-STATE RELATIONS -----

BUENOS AIRES ARCHBISHOP CARDINAL ARAMBURU DECLARED IN A SERMON IN LATE DECEMBER THAT THE GOVERNMENT'S PROVIDING INFORMATION ON THE SITUATION OF THE MANY DISAPPEARED AND DETAINEES IN ARGENTINA WOULD CONSTITUTE A SIGNIFICANT CONTRIBUTION TO THE SPIRITUAL TRANQUILIZATION OF MANY ARGENTINE FAMILIES. CELEBRATING POPE PAUL'S CALL FOR PEACE ON THE XI DAY FOR WORLD PEACE, CARDINAL ARAMBURU SAID THAT WHILE "WE DEPLORE THE DAMAGE AND DEATHS CAUSED BY SUBVERSION, VIOLENCE FOSTERS NEW FORMS OF OPPRESSION AND SLAVERY, SOMETIMES MORE FNFIOUS THAN THOSE WHICH WE ARE SEEKING TO FREE OURSELVES FROM." HE ADDED THAT "VIOLENCE IS NEITHER A SIGN OF ALTRUSIM NOR SOCIAL CONSCIENCE, BECAUSE MANKIND SEEKS TO ORGANIZE ITS RELATIONS BASED ON SOCIAL ORDER AND WITH REGARD TO HUMAN RIGHTS, AND NOT ON COLD DESPOTISM OR VIOLENCE."

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PAGE 02 BUENOS 00459 03 OF 03 192310Z

10. PRISONERS LIST? -----

IN A CALL ON THE AMBASSADOR JUST BEFORE LEAVING FOR A TRIP THROUGH THE UNITED STATES, FEDERAL POLICE CHIEF OJEDA SAID HE HAD PARTICIPATED IN PREPARING A "WHITE PAPER" LISTING NAMES OF PRISONERS (WE BELIEVE HE MEANT UNDER "PODER EJECUTIVO NACIONAL") AND "CHARGES AGAINST THEM". OJEDA WENT ON TO SAY THAT THE LIST WOULD BE "MADE AVAILABLE TO EMBASSIES" BUT DID NOT SPEAK OF THE LIST'S BEING MADE PUBLIC.

11. REFUGEES ARRESTS -----

RECENTLY ARRIVED UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES OFFICER KEVIN LYONETTE TOLD EMBOFF JANUARY 18 THAT HE WAS CONCERNED ON HEARING THAT AT LEAST 12 AND POSSIBLY AS MANY AS 25 URUGUAYANS RESIDING IN BUENOS AIRES APPEAR TO HAVE BEEN ARRESTED HERE BETWEEN DECEMBER 23 AND ABOUT JANUARY 12. LYONETTE SAID THAT PERSONS CLOSE TO THOSE ARRESTED FEAR THEY MAY HAVE BEEN FORCEFULLY RETURNED TO URUGUAY. THESE PERSONS ARE NOT "REFUGEES" IN THE STRICT SENSE THAT HEY HAVE SOUGHT AND

UNCLASSIFIED

UNCLASSIFIED

Current Class: [REDACTED]
Current Handling: n/a
Document Number: 1978BUENOS00459

Page: 8

Channel: n/a

OBTAINED UNHCR OFFICIAL REFUGEE STATUS. URUGUAYANS, HE SAID, ARE RELUCTANT TO SEEK THIS STATUS UNLESS THEY SENSE THEMSELVES IN IMMEDIATE DANGER. LYONETTE ALSO TOLD OF THE INADVERTENT RETURN TO URUGUAY OF AN URUGUAYAN WOMAN FORMERLY DETAINED HERE AND UNDER EXPULSION ORDER BY THE ARGENTINE GOVERNMENT. HER RETURN TOOK PLACE WHILE PERMISSION WAS BEING SOUGHT FROM SOME THIRD COUNTRY FOR HER ENTRY. ARGENTINE AUTHORITIES WERE AT ONCE AWARE OF THEIR ERROR AND VOLUNTEERED INTERVENTION IN THE WOMAN'S BEHALF WITH URUGUAYAN AUTHORITIES. LYONETTE BELIEVED THE WOMAN WAS SAVED BY THIS INTERVENTION FROM ANY URUGUAYAN RETRIBUTION AGAINST HER.

12. PUNISHMENT OF POLICE -----
PROMINENT MEDIA COVERAGE WAS GIVEN JANUARY 18 TO THE DETENTION

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PAGE 03 BUENOS 00459 03 OF 03 192310Z

OF NINE POLICEMEN IN SANTA FE AND FOUR IN ROSARIO ON CHARGES OF BRUTALITY. ALLEGATIONS ARE THAT ONE DETAINEE WAS KILLED IN SANTA FE AND ANOTHER INJURED DURING AN INTERROGATION. THE ROSARIO INCIDENT LED TO THE DEATH OF FORMER FOOTBALL PLAYER WALDINO AGUIRRE, ALSO DURING INTERROGATION. THE SANTA FE POLICE CHIEF CALLED A PRESS CONFERENCE TO ANNOUNCE THE ARRESTS OF THE MEMBERS OF HIS FORCE.
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Current Class: [REDACTED]

Page: 8

UNCLASSIFIED